

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

319I0541

HOUSE BILL NO. 1175

Introduced by: Representatives Gillespie, Dykstra, Frost, Hanson, Konold, and Solum and
Senators Olson (Ed), Albers, Koetzle, Moore, Reedy, and Vitter

1 FOR AN ACT ENTITLED, An Act to provide for a permit system for plumbing.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 36-25-1 be amended to read as follows:

4 36-25-1. Terms used in this chapter, ~~unless the context otherwise requires,~~ mean:

5 (1) "Commission," the State Plumbing Commission created by this chapter;

6 (2) "Plumber," any person other than a plumbing contractor who, as ~~his~~ that person's
7 principal occupation, is engaged as an employee of, or otherwise working under, the
8 direction of a plumbing contractor in the installation of plumbing, and who is lawfully
9 qualified and registered as a plumber pursuant to the provisions of this chapter;

10 (3) "Plumber's apprentice," any person other than a plumber or plumbing contractor who
11 is engaged in working as an employee of a plumbing contractor under the immediate
12 and personal supervision of either a plumbing contractor or plumber in learning and
13 assisting in the installation of plumbing;

14 (4) "Plumbing," the practice of, and the furnishing ~~and/or~~ and the use of materials and
15 fixtures in the installation, extension, and alteration of all piping, fixtures, appliances,



1 and appurtenances in connection with sanitary drainage or storm drainage facilities,
2 the venting system and the public water supply systems, within or adjacent to any
3 building, structure, or conveyance, ~~and including~~. The term includes the installation,
4 extension, or alterations of the storm-water, liquid waste, or sewerage and
5 water-supply systems of any premises to their connection with any point of public
6 disposal, or other regulated terminal;

7 (5) "Plumbing contractor," any person qualified and skilled in the planning,
8 superintending, and the practical installation of plumbing, and otherwise qualified and
9 registered to contract for plumbing installations and conduct the business of plumbing,
10 and familiar with the laws, ~~and~~ rules, ~~and~~ regulations governing the same plumbing;

11 (6) "Plumbing installation certificate," the certificate issued for each installation or
12 occurrence by the commission that authorizes a person to perform plumbing;

13 (7) "Plumbing repair work," repairs to keep plumbing in an existing state including repair
14 and replacement of faucets, valves in existing systems, repair of leaks in existing water
15 and waste systems, replacement of damaged water closet and lavatory fixtures if it
16 does not involve changes in rough-in, replacement of temperature and pressure relief
17 valves on existing systems, or cleaning of sewer lines. Plumbing repair work does not
18 include cutting into or extending water or waste lines or rough-in for new plumbing
19 work of any kind.

20 Section 2. That chapter 36-25 be amended by adding thereto a NEW SECTION to read as
21 follows:

22 The commission shall collect a plumbing permit fee from any person responsible for the
23 installation of plumbing work. The plumbing inspection fee shall include the fee for a plumbing
24 installation certificate, plus the appropriate fees for the plumbing fixtures to be inspected. The

1 maximum fee for permits in a single-family dwelling unit is fifty dollars. The maximum fee for
2 permits in a multiple-dwelling unit or public building is two hundred dollars. The commission
3 shall establish by rule adopted pursuant to chapter 1-26 the fee for the plumbing installation
4 certificate and the fees for inspections of plumbing fixtures.

5 Section 3. That chapter 36-25 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 No plumbing permit is required if the plumbing repair work or plumbing fixture replacement:

- 8 (1) Does not involve cutting into or extending existing water and waste systems;
9 (2) Is done on buildings that are not connected to a public system of waterworks or
10 sewerage; or
11 (3) Is conducted by full-time maintenance personnel on the business premises of an
12 employer.

13 No plumbing permit is required in any political subdivision where a local plumbing permit
14 has been issued, unless a state-conducted inspection is requested in addition to the local
15 inspection. Any person requesting such inspection is responsible for paying any plumbing permit
16 fee for the requested inspection.

17 Section 4. That chapter 36-25 be amended by adding thereto a NEW SECTION to read as
18 follows:

19 Any person participating in any code training courses offered by the commission shall remit
20 a fee not to exceed twenty-five dollars. The commission shall establish the training fee, by rules
21 promulgated pursuant to chapter 1-26, to offset expenses of the training.